

Message Text

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ACTION SCSE-00

INFO OCT-01 ARA-10 ISO-00 SCA-01 EB-07 FAA-00 DOTE-00

CIAE-00 INR-07 NSAE-00 L-03 (ISO) W

-----021946Z 097623 /43

R 021610Z MAY 77

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 1871

INFO ALL USCONS MEXICO

UNCLAS SECTION 01 OF 02 MEXICO 06502

E.O. 11652: N/A

TAGS: CPRS, MX

SUBJECT: DEVELOPMENTS IN RETURN OF AIRCRAFT

REF: MEXICO 2811, 3406

1. THE PRESENT SYSTEM OF RECOVERING STOLEN AIRCRAFT THROUGH THE ASSISTANCE OF THE MEXICAN ATTORNEY GENERAL CONTINUES TO PROCEED SATISFACTORILY. DURING THE PERIOD MARCH 3 - APRIL 19, THE EMBASSY SUBMITTED 57 REQUESTS FOR THE RETURN OF AIRCRAFT TO THE AG'S OFFICE. AS OF APRIL 26, WE HAD RECEIVED COPIES OF TELEGRAMS SENT BY AG INSTRUCTING HIS AGENTS TO DELIVER OR FACILITATE THE DELIVERY TO A CONSULAR OFFICER OF 35 OF THE PLANES. OF THESE CASES, 19 HAVE ACTUALLY RETURNED TO THE US. OF THE REMAINING 16 CASES, WE EXPECT NO MAJOR OBSTACLES IN RECOVERING THE AIRCRAFT. THERE ARE A FEW CASES, HOWEVER, WHERE THE EMBASSY AND THE CONSULATES HAVE ENCOUNTERED VARYING DEGREES OF RESISTANCE ON THE PART OF LOWER LEVEL GOVERNMENT OFFICIALS AND, ESPECIALLY JUDGES. WHEN INFORMED OF SUCH DELAYS, WE HAVE PREPARED SHORT, INFORMAL NOTES DESCRIBING THE PROBLEM FOR THE AG'S

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EXECUTIVE OFFICER, AND IN MOST CASES IT HAS BEEN RESOLVED PROMPTLY. IN NO CASES HAVE WE REACHED A STANDSTILL OR COMPLETE IMPASS.

2. OF THE 22 CASES IN WHICH NO ORDER HAS BEEN ISSUED BY THE AG'S OFFICE, WE HAVE BEEN INFORMED THAT 11 ARE CASES WHICH HAVE PASSED THROUGH ALL AVAILABLE JUDICIAL PROCEEDING AND ARE NO LONGER UNDER THE

CONTROL OF THE AG OR ANY COURT. WE DO NOT AS YET HAVE A LISTING OF THESE PLANES, BUT HAVE BEEN PROMISED A COPY. EVEN IN THESE CASES THE AG HAS PROMISED TO ATTEMPT TO RECOVER THE AIRCRAFT.

3. EACH OF THE 57 REQUESTS FOR RETURN OF THE AIRCRAFT WERE PRESENTED TO THE ATTORNEY GENERAL ONLY AFTER THE EMBASSY HAD MADE INQUIRIES TO SUSTANTIATE THE OWNER'S CLAIM THAT HE WAS THE INNOCENT VICTIM OF A THEFT OR CONVERSION. IN MANY CASES, THE EMBASSY ALREADY HAD DOCUMENTATION, OCCASIONALLY, IN ORDER TO COMPLY WITH THE AG'S REQUEST FOR IMMEDIATE ACTION, THE NECESSARY CONFIRMATION OF THEFT WAS OBTAINED TELEPHONICALLY FROM THE APPROPRIATE LAW ENFORCEMENT OFFICIALS.

4. THE EMBASSY AND THE AG'S OFFICE, THROUGH A SERIES OF DISCUSSIONS, HAVE ARRIVED AT A PROCEDURE WHICH PROVIDES REASONABLE SAFEGUARDS WHILE AT THE SAME TIME ALLOWING FOR THE EXPEDITIOUS PROCESSING OF CLAIMS. WHEN THE EMBASSY IS INFORMED BY AN INTERESTED PARTY THAT HIS PLANE WAS THE OBJECT OF A THEFT OR CONVERSION, WE IMMEDIATELY ATTEMPT TO ESTABLISH THE FACTS SURROUNDING THE THEFT AND ESPECIALLY THE TIMING WITH REGARD TO ANY REPORT WHICH WAS MADE TO THE AUTHORITIES. (THE ATTORNEY GENERAL HAS INDICATED THERE MAY BE DIFFICULTIES IN RECOVERING A PLANE IF THE THEFT REPORT IS FILED ONLY AFTER THE PLANE HAS BEEN CONFISCATED HERE.) WE THEN CONTACT THE FBI, DEA
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AND CUSTOMS REPRESENTATIVES IN THE EMBASSY TO DETERMINE WHETHER THEIR RECORDS REVEAL ANY INFORMATION WHICH CONTRADICTS THE OWNER'S STATEMENT OR SUGGESTS THAT HE MIGHT BE IMPLICATED OR HAVE PRIOR KNOWLEDGE OF THE OFFENSE FOR WHICH THE AIRCRAFT WAS SEIZED. WE ALSO TRY TO CROSSCHECK THE OWNER'S REPORT OF THEFT WITH THE NATIONAL CRIME INFORMATION CENTER LOCAL POLICE OR A PRIVATE ORGANIZATION SUCH AS THE INTERNATIONAL AVIATION THEFT BUREAU. ALL OF THE ABOVE STEPS MAY ON OCCASION BE COMPLETED TELEPHONICALLY. ONCE WE ARE CONFIDENT OF OUR POSITION, WE CONTACT THE OFFICIALS IN THE AG'S OFFICE IN CHARGE OF LOCATING STOLEN AIRCRAFT TO DETERMINE WHETHER THE AIRCRAFT'S LOCATION IS KNOWN. WE ARE STILL DISCUSSING VARIOUS POSSIBILITIES FOR PRESERVING THE CLAIMS OF INDIVIDUALS IN CASES WHERE THE LOCATION OF THE AIRCRAFT IS UNKNOWN.

5. ALTHOUGH THE AG WANTS TO KEEP PAPERWORK TO A

MINIMUM, AND HAS NOT ASKED THE EMBASSY TO PRESENT ANY
DOCUMENTATION TO SUPPORT ITS REQUESTS, WE HAVE

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ACTION SCSE-00

INFO OCT-01 ARA-10 ISO-00 SCA-01 EB-07 FAA-00 DOTE-00
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RECENTLY BEEN ASKED TO INCLUDE IN THE LETTER RE-
QUESTING A PLANE'S RETURN WHATEVER IN-
FORMATION ABOUT THE THEFT IS AVAILABLE TO THE
EMBASSY AT THE TIME OF THE REQUEST. IT IS LIKELY
THAT THE PROCEDURE FOR RELEASE OF AIRCRAFT WILL
EVOLVE FURTHER, BUT WE WILL CONTINUE TO STRIVE FOR
SOLUTIONS WHICH PROVIDE FOR THE PROMPT RELEASE OF
AIRCRAFT WHEREVER POSSIBLE. EMBASSY AND CONSULATES
MAINTAINS DIRECT CONTACT WITH OWNERS USUALLY BY
TELEPHONE ON THE PROGRESS OF INDIVIDUAL CASES. THE
EMBASSY IS POUCHING A LIST OF AIRCRAFT FOR WHICH THE
EMBASSY HAS REQUESTED RETURN AND THE STATUS OF THE
CASES AS OF APRIL 28. THOMPSON

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Message Attributes

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Disposition Event:
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